

Article - State Government

[\[Previous\]](#)[\[Next\]](#)

§9-1A-24.

(a) Except as provided in subsection (b) of this section, the Commission shall ensure that a video lottery operation licensee complies with the requirements of this section as a condition of holding the video lottery operation license.

(b) (1) The county alcoholic beverages licensing authority for the county in which a video lottery facility is located shall ensure that the video lottery operation licensee complies with the requirements of this subsection.

(2) Except as provided in paragraph (4) of this subsection, a video lottery operation licensee may not provide food or alcoholic beverages to individuals at no cost.

(3) Any food or alcoholic beverages offered by a video lottery operation licensee for sale to individuals may be offered only at prices that are determined by the county alcoholic beverages licensing authority to be commensurate with the price of similar types of food and alcoholic beverages at restaurants in the county in which the video lottery facility is located.

(4) A video lottery operation licensee may provide food at no cost to individuals to the same extent allowed under § 6-310 of the Alcoholic Beverages Article for a person engaged in the sale or barter of spirituous, malt, or intoxicating liquors and licensed under the laws of Maryland.

(c) (1) Except as provided in paragraph (2) of this subsection, a video lottery operation licensee shall ensure that intoxicated individuals and individuals under the age of 21 years are not allowed to play video lottery terminals or table games and are not allowed in areas of the video lottery facility where video lottery terminals or table games are located.

(2) A video lottery operation licensee may allow a video lottery employee who is an adult to enter or remain in an area within the video lottery facility that is designated for table game or video lottery terminal activities if the video lottery employee is working.

(d) (1) By regulation, the Commission shall provide for the establishment of a list of individuals who are to be mandatorily excluded or ejected by a video lottery operation licensee from any video lottery operation licensed under this subtitle.

(2) The regulations under this subsection shall define the standards for exclusion or ejection and shall include standards relating to individuals:

(i) who are career offenders as defined by regulations adopted by the Commission;

(ii) who have been convicted of a criminal offense under the laws of the United States or any jurisdiction within the United States that is a criminal offense involving moral turpitude or a gambling offense; or

(iii) whose presence in the establishment of a licensee would be adverse to the interest of the State, the licensee, or the person.

(3) The Commission may impose sanctions on a licensee in accordance with this subtitle if the licensee knowingly fails to exclude or eject from the premises of the licensee an individual placed by the Commission on the list of individuals to be excluded or ejected.

(4) An order under this subsection is subject to judicial review.

(e) (1) By regulation, the Commission shall adopt measures that are intended to reduce or mitigate the effects of problem gambling.

(2) The regulations shall:

(i) include establishment of a voluntary exclusion list of individuals with gambling problems who have requested to be excluded from any video lottery operation licensed under this subtitle; and

(ii) provide a simple mechanism for an individual who is sober and informed to request placement on the voluntary exclusion list for a specified period of time.

(3) A video lottery operation licensee may not permit an individual on the voluntary exclusion list to enter into the video lottery facility or to play a video lottery terminal.

(4) The Commission may impose sanctions on a licensee in accordance with this subtitle if the licensee knowingly fails to exclude from the premises of the licensee an individual on the voluntary exclusion list.

(f) In order to protect the public interest, the regulations shall include provisions that:

(1) limit the number and location of and maximum withdrawal amounts from automated teller machines;

(2) prohibit authorized automated teller machines from accepting electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Services for the purpose of accessing temporary cash assistance;

(3) require payouts above an amount adopted by the Commission to be made by check;

(4) require conspicuous disclosures related to the payout of video lottery terminals;

(5) limit the dollar amount that video lottery terminals will accept;

(6) prohibit the use of specified negotiable instruments at video lottery facilities and the use of credit cards, debit cards, and similar devices in video lottery terminals;

(7) provide consumers with a record of video lottery terminal spending levels if marketing measures are utilized that track consumer spending at video lottery facilities;

(8) prohibit consumers from cashing paychecks at video lottery facilities; and

(9) prohibit video lottery operation licensees from engaging in or contracting with another to engage in predatory marketing practices.

(g) (1) A video lottery operation licensee may not, directly or indirectly, interfere with, hinder, obstruct, impede, or take any action to delay the implementation or establishment of a video lottery facility by any other licensee or applicant for a video lottery operation license awarded or issued under this subtitle.

(2) (i) The Commission shall adopt regulations, to the fullest extent allowed by the first amendment of the Constitution of the United States, to carry out the provisions of this subsection.

(ii) The regulations adopted under this subsection shall include provisions:

1. that expressly prohibit:

A. taking any of the actions described in paragraph (1) of this subsection relating to the issuance of required State or local governmental approvals for the establishment of a video lottery facility; or

B. providing funding or other material support to engage in any of the actions described in paragraph (1) of this subsection;

2. that prohibit, as unlawful indirect conduct, activity:

A. by an entity in which the licensee owns a beneficial or proprietary interest; or

B. by an entity in which an affiliate of the licensee owns a beneficial or proprietary interest; and

3. that allow the Commission to impose sanctions and penalties in accordance with § 9–1A–25 of this subtitle if a licensee knowingly violates paragraph (1) of this subsection.

[\[Previous\]](#)[\[Next\]](#)